

From: Johnson, Valencia
Sent: Tue 9/6/2016 2:34:30 PM
Subject: PFOA/PFOS Clips

Alleged Polluters No-Shows at Hoosick Falls Hearing

Michelle Baker

September 6, 2016

Public News Service

HOOSICK FALLS, N.Y. – Residents of Hoosick Falls want those who allegedly contaminated their drinking water to be subpoenaed to testify at legislative water safety hearings this week.

Officials from Saint-Gobain and Honeywell, the companies blamed for a chemical known as PFOA in the water, were conspicuously absent from a hearing held in Hoosick Falls last week.

Town resident Michelle Baker says she's very disappointed that state Sen. Kathy Marchione, who convened the hearing, didn't insist that company executives attend or make statements.

"They apparently had someone sitting in the audience, we understand, but I think it's really important for Saint-Gobain and Honeywell to face us, hear our stories and the struggles that we're going through with this water crisis," Baker says.

Both companies had in Hoosick Falls factories that used PFOA, which is linked to several health problems, including cancer.

Residents want company leaders to be ordered to attend a hearing Wednesday in Albany on water quality and contamination.

Public officials at last week's hearings blamed the Environmental Protection Agency for the state's slow response to the contamination, saying the agency put out confusing and contradictory information.

But Baker disagrees, saying all the EPA's advisories were clearly stated.

"We knew what the levels were," she stresses. "Why didn't Health Commissioner (Dr. Howard) Zucker understand this? What was so complicated to know what the dangers of residents – children, seniors – drinking PFOA is?"

In 2009, the EPA warned that PFOA in water should not exceed 400 parts per trillion and this year, lowered that to 70.

Some tests in Hoosick Falls have shown levels above 600 parts per trillion.

And Baker points to reports showing despite repeated warnings about PFOA in Hoosick Falls water, state officials delayed taking decisive action.

"Our water was poisoned for decades by Saint-Gobain and Honeywell, and then we knew about this for 18 months, and New York state failed to act and protect us folks," she states.

Saint-Gobain and Honeywell have already agreed to pay to install and maintain a filtration system for the Hoosick Falls municipal water supply.

LeBrun: Clowns ran PFOA circus in Hoosick Falls

By: Fred LeBrun
Published 6:28 pm, Saturday, September 3, 2016
Times Union

Take heart, Hoosick Falls, it ain't over yet.

Granted, the state Senate's public hearing last Tuesday at the Hoosick Falls high school, apart from giving residents and others close to the village PFOA water contamination crisis an important opportunity to tell their stories, was otherwise garbage, an infuriating and arrogant waste of time, a circus with too many clowns.

Serious answers to serious questions related to the slow state response to the crisis and the medical implications to where we are now that residents — and the rest of us — deserved to hear from the state Health Department did not materialize. Any answers or responsibility for what didn't happen was artfully dodged by state Health Commissioner Dr. Howard Zucker, who was led gently along by a Senate committee providing the whitewash. It was a pathetic show, and certainly didn't fool the audience.

Zucker, and DEC commissioner Basil Seggos after him, blamed everything on the Environmental Protection Agency, the official Cuomo line that they are required to embrace. Zucker was especially awful.

In fact, if he were really as addle-witted as he came across, he'd be institutionalized. Then again, he's in the Health Department. Sorry.

Zucker professed nothing but confusion. Brought on, he said, by the EPA changing the numbers, "out of left field" and with bewildering speed, from 400, to 100, to 70 parts per trillion exposure allowances for PFOA in drinking water. Oh, some of those are really big numbers.

"What we need from the EPA," Zucker remarked at the end of his performance art, and with a straight face, "is a lot less confusion."

No, Dr. Zucker, what we need from you is a lot less bovine poop passed off as "testimony," and gratefully received as applesauce by a legislative committee supposedly holding you and your agency accountable.

Not that I believe for one second that Zucker is lamebrained. He's a brilliant man, a physician as well as a lawyer, with a page full of impressive credentials. He can probably do calculus puzzles in his head. Which makes his feigned "confusion" all the more insulting, and speaks more to what he thinks of his audience than what we think of him. Politics can make fools of good men, especially Cuomo politics.

So what was Zucker up to? Probably, along with Seggos, he was under orders to deflect the glaring spotlight from state failures, well known to the locals here, and create the very confusion he complains about as to where the faults lie for the water crisis response.

What he and his handlers didn't count on was the clean and clear rebuttal in subsequent days from, first, the regional EPA administrator, Judith Enck, and by the end of the week, Gina McCarthy, administrator of the entire agency.

There is no confusion. The numbers are logical, science based, that clearly spell out the difference between short term and lifetime exposures, nor were they arrived at overnight.

It took five years to arrive at the 70 parts per trillion as a maximum lifetime exposure rate. Equally important, the state Health Department was involved all along in the dialogue leading up to that number. So much for being surprised by the EPA.

But back to why Hoosick Falls should take heart. It's because we have two more series of hearings, and Zucker and Seggos are already on record, with stances they are going to have an increasingly difficult time sustaining. Coming up are joint Assembly-Senate hearings in Albany and Long Island, that I am assured will not be the softball game that took place in Hoosick Falls. Yet to be scheduled is a congressional hearing. Enck assures me the EPA will most surely be testifying there.

So the cumulative effect here will not necessarily bring admissions from the state for its failures. But that same conclusion may become irrefutable anyway from the profusion of evidence and testimony presented before all these hearings are over.

But what can be done, if anything, to make the looming legislative hearings less a political sideshow and more actual fact-finding events that make us proud of our legislators rather than embarrassed by them?

Hoosick Falls resident Michele Baker, in a scathing letter to state Sen. Kathy Marchione expressing "profound disappointment" at the Senate hearing Marchione organized, called on the legislators to subpoena the appearance of polluter Saint Gobain, which did not show at Hoosick Falls, at the next hearings. Sending subpoenas to Saint Gobain, as well as Taconic Plastics and Honeywell, has also been advanced by Democratic Sen. Brad Hoylman, a minority member of the Senate Health Committee.

The Senate majority, however, seems deeply disinclined, since they are carrying water for the governor, and Cuomo

most definitely does not want the polluters taking the stand.

Not when they might have a lot of interesting observations to make about their contacts with state government during this crisis.

The governor, remember, is all about controlling the narrative. Make that all about control.

But there is one small step that might be taken to improve the quality of testimony at these hearings.

Swear in the witnesses. Put them under oath. It's what former Assemblyman Richard Brodsky used to do when he was chair of the Environmental Conservation committee to elicit more reliable utterings from those appearing. He even had a court stenographer taking down every word.

With several lawsuits looming, these witnesses are likely to be eventually deposed under oath anyway.

Stakes change for professionals testifying with perjury on the table. So do their responses.

Feds, State blame each other for Hoosick Falls mess ---- and they're both right

By Post Editorial Board

September 3, 2016 | 6:33pm

New York Post

State and federal officials are pointing fingers at each other over the Hoosick Falls mess — and it looks like they're both right.

Both sides played the blame game at last week's long-delayed legislative hearing on contamination of the upstate town's groundwater by the chemical PFOA, thanks to its past use in making Teflon at a local plant.

The federal Environmental Protection Agency "shifted" its position "repeatedly," complained state health czar Howard Zucker. He demanded "less confusion" from the EPA.

But in written testimony sent to the hearing, EPA official Judith Enck said her agency "delegated primary responsibility" to the state. She later told reporters that Albany had chosen to adopt a more lenient standard for water safety.

Furious (and scared) residents want to know why both the feds and state officials let them drink their water despite having reason to question its safety.

One local, Michael Hickey, said it was a snap to find the red flags. "It was a five-minute Google search," he said. "All I typed in was Teflon and cancer, because that's what was in the factory."

Hickey's dad, who'd worked at the factory, died of cancer. Afterward, the son hired a lab that in 2014 found his water had high levels of PFOA.

Yet officials kept on telling folks not to worry. Not until last November did the feds even "recommend" using alternate sources of water for drinking and cooking.

On Jan. 27, Gov. Andrew Cuomo finally deemed PFOA a "hazardous substance" and announced plans to address the crisis.

Is there a better example of incompetence? As Hickey quickly discovered, the links between PFOA and diseases like cancer have been known for years. There's a reason manufacturers stopped making it.

The EPA itself issued a "health advisory" against short-term exposure to PFOA above 400 parts per trillion in 2009. Yet it had no such warning at all for long-term exposure until May, when it set the bar at just 70 ppt.

And New York's environmental agency ignored even the short-term warning, allowing up to 50,000 ppt. (Tests showed

Hoosick Falls' water had more than 600 ppt.)

The feds' dithering doesn't excuse Albany's recklessness. Remember, this is the same governor who banned fracking as a risk to public health, even though research proves it isn't.

Seems tiny Hoosick Falls, with all of 3,500 residents, just doesn't have the kind of clout as folks like Robert Kennedy and the enviro-radicals who pushed the fracking ban.

True, no one can know the extent of the damage PFOA has caused in Hoosick — and elsewhere. Even now, Zucker says exposure doesn't necessarily indicate long-term health consequences.

But residents fear not only for their health, but for their property values and even their jobs. Having officials pass the buck does little to help.

New Jersey Under Pressure To Regulate PFCs

By Sara Jerome

September 2, 2016

Water Online

New Jersey's rich industrial history has drawbacks in the form of deep water pollution challenges. The state's water systems are among the most tainted by perfluoroalkyl substances (PFASs), also commonly known as perfluorochemicals (PFCs), which are unregulated contaminants linked to cancer.

"New Jersey may be a national hotspot for this type of contamination — chiefly because of the manufacturing facilities that have been based here," NJ Advance Media reported. "Water sampled in the Gloucester County town of Woodbury had the highest concentration nationally of one variant of the compound."

The NJ Department of Environmental Protection (DEP) has been gathering data on PFASs ever since state testing showed the contaminant in water systems. The department is also studying methods for treating the contaminants, including granular activated carbon (GAC) removal technology. The department said in a report that the results of its research on PFASs will help it determine if regulation is needed.

At the same time, the department is facing a rising tide of pressure from state lawmakers who want to see the contaminants regulated. Legislation introduced by state Sen. Raymond Lesniak would give the state "six months after the passage of the bill to accept the recommendations of the Drinking Water Quality Institute, which advises the department on maximum contaminant levels (MCLs) for [various] hazardous chemicals in drinking water," NJ Spotlight reported.

A Harvard University analysis of water samples nationwide found that PFASs show up in New Jersey's drinking water with greater frequency than any state except California. The study, published in August by the journal Environmental Science & Technology Letters, examined the level of PFASs in public water supplies.

"The Harvard study took data from earlier water samples showing the chemical in some water samples in 9 New Jersey counties, then projected how much of the watershed might be contaminated by sources of PFAS pollution," the report said.

"In New Jersey, a little more than 10 percent of 675 water samples showed some discernible level of the chemical compounds. The counties where readings registered above the study's threshold were Bergen, Essex, Union, Middlesex, Ocean, Atlantic, Camden and Gloucester," the report said.

The EPA issued a health advisory in May about PFAS exposure as various cities wage high-profile battles against the compounds, including Hoosick Falls, NY, and factory towns across the country. PFASs are industrial chemicals, and research has tied them to cancer, the Associated Press reported.

Research indicates exposure to PFOA and PFOS over certain levels "may result in adverse health effects, including developmental effects to fetuses during pregnancy or to breastfed infants (e.g., low birth weight, accelerated puberty, skeletal variations), cancer (e.g., testicular, kidney), liver effects (e.g., tissue damage), immune effects (e.g., antibody production and immunity), thyroid effects and other effects (e.g., cholesterol changes)," according to the EPA's health

advisory.

Workers' rights group supports locked-out Honeywell employees

September 05, 2016 11:29 PM

WNYT

The Solidarity Committee of the Capital District gathered at Cook Park in Colonie for its annual Labor Day picnic Monday.

"Honeywell is really skipping its corporate duty here around the capital district," said Albany County Legislator (D-Pine Hills), Doug Bullock.

At this year's event the worker's rights group raised money for dozens of Honeywell employees who haven't worked in months.

"They've also locked out their workers, which is outrageous," Bullock said.

Members of the UAW Local 1508 union were locked out of the company's facility on Green Island in May when contract negotiations fell through.

"Right now they want to go to high deductible health care plan," said Timothy Waters, UAW Local 1508 Vice President. "They want to freeze our pensions. They want to pull away our survivors income," he said.

Honeywell said union members rejected an offer that would have increased wages.

In a statement on its website, the company said union employees, "make 27 percent more than the average Green Island worker in base wages alone."

Union workers have been holding round-the-clock pickets and protests across from the plant since May.

"We all want to get back to work," said union member Marc Couitt.

Couitt, who was hired six-months before the lockout, spent Labor Day working a picket shift.

"The healthcare, in addition to increasing the costs astronomically, they want to be able to change it at any time," he said.

Honeywell said they're offering the same healthcare they offer almost all of the company's U.S. Employees.

The company's website also reads, "the union has been insulated from the incremental healthcare increases all Honeywell employees - and most Americans- have faced."

Its bad timing for Honeywell.

The company is also embroiled in the PFOA water contamination crisis in Hoosick Falls, which is the subject of a State Assembly hearing Wednesday.

Assemblywoman Patricia Fahey (D-Albany) was at the picnic-fundraiser and plans to attend this week's PFOA hearing.

She's urging both sides to reach an agreement soon.

"I do think it's important that labor work with management," Fahy said. "That they come to the table and try to protect those jobs," she said.

A local worker's rights group used labor day to call attention to a labor struggle happening in the capital district. It involves Honeywell union employees in Green Island who haven't been on the job since May.

Question and answer time

By TU Editorial Board

September 4, 2016 at 3:07 AM

Times Union

A full day of state Senate hearings on contaminated drinking water in eastern Rensselaer County left one thing certain: They need another hearing on this.

A hearing, that is, that gets questions answered.

Tuesday's hearing should have been a chance to understand the government's response to the crisis. But Gov. Andrew Cuomo's representatives seemed to see it as an occasion to deflect blame. In the hearing's aftermath, the Environmental Protection Agency, which didn't show, isn't doing much better.

This is of little public value. Governments that refuse to acknowledge errors are sure to repeat them.

We get that Mr. Cuomo would prefer to avoid the perception that his administration was less than perfect in handling the discovery of perfluorooctanoic acid, or PFOA, in the Hoosick Falls public water supply and surrounding private wells. The governor is keenly sensitive to criticism, as he shows by lashing out routinely whenever a state comptroller's audit questions a state agency's performance.

We get, too, that the EPA is similarly sensitive, in this case to criticism from the Cuomo administration. No federal agency besides the IRS is as vilified by politicians, particularly on the right, which talks of abolishing both.

The committee needs to cut through the resistance and focus on the central issue: that a long time passed from when state health and environmental officials first became aware of high levels of PFOA in drinking water – in August 2014 – to the time EPA learned of it – in December 2014 – to the time EPA finally told residents to absolutely not drink or cook with it – in December 2015.

The Senate committee must come out of these hearings with a clear understanding of why a village of 3,500 people was drinking contaminated water for more than a year after officials first knew of the problem. What exactly was going on behind the scenes? A legitimate scientific and public health debate? Bickering? Confusion? Turf battles? Resistance?

We know there are at least two sides to this story – the state's blame of EPA and the EPA's blame of the state. It's the committee's job to get to the unspun truth.

And more: Why didn't EPA long ago change its guidelines on PFOA exposure? For its part, why didn't New York follow the lead of states like New Jersey – which instituted much more stringent guidelines on PFOA in 2007?

And most importantly, what could have been done differently, and how might that understanding affect what's done now? Should water supplies undergo mandatory testing in small communities like Hoosick Falls – not just those with populations over 10,000? Should New York become more proactive, as New Jersey was with PFOA, in looking at unregulated contaminants, of which there are 80,000? What kind of funding, realistically, would that take?

All this puts the onus on the Senate committee, joined by the Assembly next time, to prepare better, and sharpen its focus. We understand this first hearing was, in part, an opportunity to let citizens express concerns and frustrations. It's time, though, for hard questions, and real answers.

EPA sends scathing letter to DOH on PFOA water hearings

By Joe Gullo

Published: September 2, 2016, 4:07 pm | Updated: September 2, 2016, 4:42 pm

News 10

WASHINGTON (NEWS10) – After another round of the Hoosick Falls PFOA legislative hearings, the finger pointing continues and people are left without any answers.

The Environmental Protection Agency was not at the first hearing but have set a scathing response to the State Department of Health.

The DOH has argued that the guidance on the safe drinking water was not clear and are calling on the EPA to pay for the remediation costs in Hoosick Falls.

The EPA says there is no reason the state should have been confused about the guidance. They say polluters should pay for remediation rather than shift the burden to the federal taxpayer.

Cuomo, Obama administrations feud over NY village water

Jon Campbell, @JonCampbellGAN 6:02 p.m. EDT September 2, 2016

Democrat and Chronicle

ALBANY -- A water-contamination crisis in a small upstate New York village is at the center of an escalating feud between Gov. Andrew Cuomo and President Barack Obama's administrations, with state and federal regulators publicly battling over who deserves blame.

Residents of Hoosick Falls, a Rensselaer County village of 3,500 people near the Vermont border, were ordered by the U.S. Environmental Protection Agency to stop drinking their water in December 2015 after high levels of perfluorooctanoic acid, or PFOA, were detected.

The chemical, which was used by a plastics factory in the village, has been linked to various health effects, including cancer and developmental issues in fetuses.

The crisis has enraged residents, who questioned why regulators didn't step in sooner to stop them from using their water. And it's led to finger-pointing between state regulators and the EPA, which played out through a 10-hour hearing and publicly-released letters in recent days.

State Health Commissioner Howard Zucker repeatedly placed blame on the EPA during the hearing Tuesday, accusing his federal counterparts of issuing "changing, conflicting guidance" that "exacerbated the situation in Hoosick Falls."

Zucker paired his testimony with a letter to EPA Administrator Gina McCarthy, demanding the federal government reimburse the state for clean-up costs if it can't force the Saint-Gobain Performance Plastics and Honeywell International — the companies the state is holding responsible — to pay.

"We believe the EPA's handling of this matter aggravated the situation, causing undue expense to our agencies, and the EPA should reimburse the state for the extraordinary costs incurred due to the EPA's mishandling," Zucker and state Environmental Conservation Commissioner Basil Seggos wrote in the joint letter.

The letter from Zucker and Seggos, which claimed the EPA's PFOA guidelines caused confusion, received a swift response from McCarthy.

McCarthy, who was appointed by Obama, wrote a reply letter Thursday defending her agency's guidance. It is "very difficult to understand" how the state could have been confused by the guidelines, she wrote.

In 2009, the EPA issued a PFOA "provisional health advisory" about exposure to more than 400 parts per trillion. Hoosick Falls water has tested at 600 parts per trillion or more, McCarthy wrote.

"I urge you to move beyond accusatory letters and, rather, work cooperatively with EPA Region 2 and the residents of Hoosick Falls on the important work of cleaning up the contamination in the Village and protecting the public drinking water supply," McCarthy wrote.

The state Health and Environmental Conservation departments countered, claiming EPA's Region 2 -- which oversees New York -- issued "conflicting guidelines" when they further limited PFOA exposure to 100 parts per trillion in Hoosick Falls private wells and issued the do-not-drink order.

"We encourage the Region 2 Administrator (Judith Enck) to move beyond making inflammatory statements to the media and encourage her to accept the State Legislature's invitation to testify at the water quality hearings," the state Health and Environmental Conservation departments said in a statement Thursday.

EPA Region 2 Administrator Judith Enck did not attend the hearing on Tuesday.

Meanwhile, Hoosick Falls residents are still demanding answers.

In a letter Friday to state Sen. Kathy Marchione, a Republican whose district includes the village, 32 residents demanded the Senate use subpoena power to ensure Saint-Gobain and Honeywell attend another water-quality hearing next week.

"We are tired of being told one thing and seeing another, and will not accept public officials engaging in schoolyard antics while our own children live in fear," they wrote.